

# **EXHIBIT A**

# C A D W A L A D E R

Cadwalader, Wickersham & Taft LLP  
200 Liberty Street, New York, NY 10281  
Tel +1 212 504 6000 Fax +1 212 504 6666  
[www.cadwalader.com](http://www.cadwalader.com)

February 6, 2019

## E-MAIL

Douglas A. Foss  
99 Garnsey Road  
Pittsford, NY 14534  
(585) 419-8800

Re: NewMarket v VetPharm 3:17-cv-01852-MAS-TJB

Dear Douglas:

The Court's February 12, 2019 deadline to submit to arbitration is fast approaching. Based on our prior conversations you have informed me that VetPharm is considering its options after being informed by the AAA that original arbitration could not be revived and that VetPharm would therefore have to file a new arbitration. Since we last spoke, NewMarket has filed an action to appoint a liquidating trustee and to dissolve (MER-C-1-19). To the extent VetPharm re-files for arbitration it will seek protection under the appropriate AAA Rules regarding any fees or expenses associated with the arbitration. *See, e.g.* AAA Commercial Arbitration Rules and Mediation Procedures R-53 and R57. In the event that VetPharm does not re-file for arbitration NewMarket will seek to pursue its claims against VetPharm in the district court.

Kindly let us know by the close of business Friday February 8, 2019 whether or not your client intends to re-file its arbitration against NewMarket in accordance with Judge Shipp's December 13, 2019 Order.

Regards,

/s/ Robert M. Pollaro

Robert M. Pollaro